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(Original Signature of Member)

118TH CONGRESS
1ST SESSION

H. R. _____

To direct the Director of National Intelligence to take certain actions to evaluate the attack by Hamas against Israel on October 7, 2023, and related intelligence sharing efforts, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. CROW introduced the following bill; which was referred to the Committee
on _____

A BILL

To direct the Director of National Intelligence to take certain actions to evaluate the attack by Hamas against Israel on October 7, 2023, and related intelligence sharing efforts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “7 October Hamas At-
5 tack Evaluation and Intelligence Sharing Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) Congress joins the Administration to un-
2 equivocally condemn the heinous terrorist attack
3 perpetrated by Hamas against Israel on October 7,
4 2023;

5 (2) the safety and return of United States citi-
6 zens held hostage must be a priority;

7 (3) the United States supports the right of
8 Israel to self-defense; and

9 (4) robust intelligence sharing with Israel is
10 critical to the defense of Israel, the effort to free
11 hostages, and the mitigation of civilian harm.

12 **SEC. 3. REPORT ON HAMAS TRAINING FOR ATTACK**
13 **AGAINST ISRAEL PERPETRATED ON OCTO-**
14 **BER 7, 2023.**

15 (a) REPORT.—Not later than 30 days after the date
16 of the enactment of this Act, the Director of National In-
17 telligence, in consultation with the Secretary of Defense
18 and the Director of the Central Intelligence Agency, shall
19 submit to the appropriate congressional committees a re-
20 port on the training of Hamas militants for the attack
21 against Israel perpetrated on October 7, 2023, and any
22 material support provided to such militants.

23 (b) MATTERS.—The report under subsection (a) shall
24 include the following:

1 (1) An assessment of the location and cir-
2 cumstances under which Hamas militants who per-
3 petrated the attack described in subsection (a) re-
4 ceived and conducted training.

5 (2) An assessment of how such Hamas mili-
6 tants obtained the weapons and equipment used to
7 carry out such attack.

8 (3) An assessment of the communications prac-
9 tices and planning process of Hamas relevant to
10 such attack, including with respect to operational se-
11 curity, and a discussion of any intelligence gaps re-
12 garding such practices and planning process and
13 whether changes to the National Intelligence Prior-
14 ities Framework would mitigate any such gap.

15 (4) An assessment of whether, and the extent
16 to which, Hamas militants who perpetrated the at-
17 tack described in subsection (a) received advanced or
18 tailored training from agencies or instrumentalities
19 of foreign states, including Hezbollah, or any non-
20 state proxy of such a foreign state, including Iran.

21 (5) An assessment of whether, and the extent
22 to which, such Hamas militants received support, in-
23 cluding material and financial support, from any
24 state sponsor of terrorism.

1 (6) An assessment of any change in threat
2 against United States persons or interests, or to
3 partners and allies of the United States, as a result
4 of the attack described in subsection (a).

5 (7) A review of the National Intelligence Prior-
6 ities Framework to determine if priorities remain
7 appropriate in light of the 7 October attack, includ-
8 ing whether a change in priorities would mitigate
9 any intelligence gaps identified under paragraph (3).

10 (c) FORM.—The report under subsection (a) shall be
11 submitted in unclassified form, consistent with the protec-
12 tion of intelligence sources and methods, but may include
13 a classified annex.

14 (d) STATE SPONSOR OF TERRORISM DEFINED.—In
15 this section, the term “state sponsor of terrorism” means
16 a country the government of which the Secretary of State
17 has determined, for purposes of section 6(j) of the Export
18 Administration Act of 1979 (50 U.S.C. App. 2405(j)), sec-
19 tion 620A of the Foreign Assistance Act of 1961 (22
20 U.S.C. 2371), section 40 of the Arms Export Control Act
21 (22 U.S.C. 2780), or any other provision of law, is a gov-
22 ernment that has repeatedly provided support for acts of
23 international terrorism.

1 **SEC. 4. REVIEW OF CERTAIN INTELLIGENCE SHARING RE-**
2 **LATING TO HAMAS, HEZBOLLAH AND IRAN.**

3 The Director of National Intelligence, in consultation
4 with the Secretary of Defense and the Director of the Cen-
5 tral Intelligence Agency shall conduct a review to deter-
6 mine whether increased intelligence sharing with Israel re-
7 lating to Hamas, Hezbollah, the Palestinian Islamic Jihad,
8 Iran, and any other entity the Director of National Intel-
9 ligence determines appropriate for purposes of this sec-
10 tion, improves the security of the United States and the
11 allies and partners of the United States.

12 **SEC. 5. REVIEW OF CERTAIN INTELLIGENCE SHARING RE-**
13 **LATING TO CIVILIAN HARM MITIGATION.**

14 (a) REVIEW.—The Director of National Intelligence
15 (in consultation with the Secretary of Defense, the Direc-
16 tor of the Central Intelligence Agency, and the head of
17 any other element of the intelligence community, or other
18 component of the Department of Defense, determined rel-
19 evant by the Director of National Intelligence, the Sec-
20 retary of Defense, and the Director of the Central Intel-
21 ligence Agency) shall conduct a review to determine the
22 means by which United States intelligence sharing with
23 Israel may achieve each of the following outcomes, respec-
24 tively, with respect to the conflict between Israel and
25 Hamas:

26 (1) The reduction of civilian harm.

1 (2) The improvement of the provision of hu-
2 manitarian assistance.

3 (3) The limitation of damage to civilian infra-
4 structure.

5 (b) REPORT.—

6 (1) SUBMISSION.—Not later than 30 days after
7 the date of the enactment of this Act, the Director
8 of National Intelligence shall submit to the appro-
9 priate congressional committees a report containing
10 the results of the review under subsection (a).

11 (2) FORM.—The report under paragraph (1)
12 shall be submitted in unclassified form, consistent
13 with the protection of intelligence sources and meth-
14 ods, but may include a classified annex.

15 (c) INTELLIGENCE COMMUNITY DEFINED.—In this
16 section, the term “intelligence community” has the mean-
17 ing given that term in section 3 of the National Security
18 Act of 1947 (50 U.S.C. 3003).

19 **SEC. 6. ASSESSMENT BY INSPECTOR GENERAL OF DEPART-**
20 **MENT OF DEFENSE.**

21 (a) ASSESSMENT.—Not later than 30 days after the
22 date of the enactment of this Act, the Inspector General
23 of the Department of Defense, in consultation with any
24 other inspector general determined appropriate by the In-
25 spector General of the Department of Defense, shall sub-

1 mit to the appropriate congressional committees a report
2 containing an assessment of whether, and the extent to
3 which, the memoranda described in subsection (c) are
4 being applied with respect to United States intelligence
5 sharing with Israel (or other partners and allies of the
6 United States) in connection with the conflict between
7 Israel and Hamas.

8 (b) MATTERS.—The report under subsection (a) shall
9 include a description of the specific steps taken to imple-
10 ment the memoranda described in subsection (c), with a
11 particular emphasis on such steps taken to mitigate civil-
12 ian harm, including the targeting criteria set forth in sec-
13 tion 3.E of the Presidential Policy Memorandum specified
14 in paragraph (2) of such subsection.

15 (c) MEMORANDA DESCRIBED.—The memoranda de-
16 scribed in this subsection are the following:

17 (1) The National Security Memorandum of Oc-
18 tober 6, 2022, titled “National Security Memo-
19 randum/NSM-13”, or successor memorandum.

20 (2) The Presidential Policy Memorandum
21 signed in October, 2022, governing direct action
22 counterterrorism operations outside areas of active
23 hostilities, or successor memorandum.

1 **SEC. 7. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
2 **FINED.**

3 In this Act, the term “appropriate congressional com-
4 mittees” means—

5 (1) the congressional intelligence committees, as
6 such term is defined in section 3 of the National Se-
7 curity Act of 1947 (50 U.S.C. 3003); and

8 (2) the Committees on Armed Services of the
9 House of Representatives and the Senate.